

CHESTER UNIFIED DEVELOPMENT BYLAWS

3.24 REQUIRED FRONTAGE ON, OR ACCESS TO PUBLIC ROADS OR WATERS

A. No land development shall be permitted on existing lots which do not either have frontage on a public road or public waters or by permanent right-of-way, approved of the Development Review Board under subdivision review procedures (see Section 5.2).

B. All driveways and development roads shall be designed and constructed in accordance with the *Town of Chester Road and Bridge Specifications* and the subdivision standards in Section 5.2.

3.25 RESIDENTIAL CARE AND GROUP HOMES

A. A residential care home or group home, to be operated under state licensing or registration, serving not more than eight persons who have a handicap or disability as defined in 9 V.S.A. § 4501, shall be considered by right to constitute a permitted single family residential use of property, except that no such home shall be so considered if it is located within 1,000 feet of another existing or permitted residential care or group home.

B. A residential care home or group home, to be operated under state licensing or registration, serving nine or more who have a handicap or disability as defined in 9 V.S.A. § 4501, shall be reviewed as a multifamily dwelling and shall be subject to conditional use and site plan review.

3.26 SEWAGE DISPOSAL PERMIT

In accordance with 24 V.S.A §4414, no construction for a dwelling or any building to be occupied may take place under a zoning permit unless and until a wastewater and potable water supply permit has been issued under 10 V.S.A. Chapter 64.

3.27 SIGNS

All signs shall comply with Title 10, Chapter 21, Vermont Statutes Annotated and with the following:

A. **Purpose.** This ordinance acknowledges the importance of signs to inform the traveling public of local businesses, but also recognizes that the Town does not benefit from unlimited signs. The purpose of this ordinance is to help preserve and improve the existing attractive aspects of the Chester environment, to promote the welfare, convenience and safety of its inhabitants and visitors, to conserve the value of property, and to encourage a style and scale of outdoor advertising that is compatible with the more attractive features of Chester.

B. **Sign Permit.** All businesses, home occupations, etc. requiring a sign must obtain a Sign Permit from the Zoning Administrative Officer before such sign can be erected.

C. **On-Premise Signs.** Any structure, wall display, device or representation which is designed or used to advertise or call attention to or directs a person to a business, association, profession, commodity product, institution, service, entertainment, person, place or thing, or activity of any kind, and is visible or audible from a highway or other public right-of-way and is located entirely on one's property.

C. **Off-Premise Signs.** Off-premise signs are prohibited.

D. **Sign Specifications.** The following requirements shall apply to all signs in all Districts:

1. Two (2) on-premise signs shall be permitted, one (1) free-standing and one (1) attached to the building.
2. All new signs, and/or movement, enlargement, alterations, or reconstruction of existing signs shall be in compliance with the Bylaws as stated herein.
3. All signs shall be constructed of durable materials and shall be maintained in a safe condition and

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- in good repair at all times.
4. Every sign shall be designed and located in such a manner as to:
 - a. Not impair public safety;
 - b. Not restrict clear vision of the street or between a sidewalk and street;
 - c. Not be confused with or obscure any traffic sign or signal;
 - d. Not obstruct any door, window or fire escape;
 - e. Not be attached to a tree or a utility pole;
 - f. Not be within the town highway right-of-way.
 5. Signs shall not be located within ten (10) feet of street line, nor within twenty (20) feet of a neighboring property line, nor within seventy-five (75) feet of any intersection unless it is a wall sign.
 6. In VC, RC, CI and SV Districts, neither sign shall be in excess of twenty-four (24) square feet in size, per side, or in excess of sixteen (16) feet in height from the road surface.
 7. In R20, R40, R3, CR and F Districts, neither sign shall be in excess of twelve (12) square feet in size, per side, or in excess of eight (8) feet in height from the road surface.
 8. For Home Occupation/Home Business, in any district, only one (1) sign with a two (2) square foot maximum shall be allowed.
 9. When a sign is made up of individual lettering, the square footage of the sign is to be calculated by the area of the surface required to enclose the lettering.
 10. No less than 75% of the surface of each sign shall be of muted, harmonious color tones.

E. Sign Lighting.

1. Internally lit signs are prohibited. All signs not complying with section at the date of the adoption of this ordinance, will be deemed a non-conforming structure and are subject to Section 3.19 of these Bylaws.
2. Externally lit signs shall be shielded so as to not produce glare, undue distraction, or hazard either to the surrounding area or to pedestrian and vehicular traffic. The illumination of said signing shall be properly focused upon the sign, and shall be limited to during business operating hours only.

F. New Sign Permit Required. A permit is required for a sign when a business changes use and/or replaces a sign. Continuation of a non-conforming sign shall require Development Review Board consideration.

G. Sign Plaza. When a property has multiple businesses, the property owner is allowed one sign plaza not to exceed forty-eight (48) square feet nor higher than twelve (12) feet in height from the grade of the public road, with individual signs on the plaza for each business. These individual signs are to be of a uniform size for each business. One additional sign not to exceed a total of six (6) square feet is permitted on the building for each business.

H. Gasoline/Service Stations. A gasoline/service station shall be permitted the following signs:

1. Gasoline price signs shall be confined to the pump island. The signs shall be limited to one square foot in area and one per pump. One (1) free-standing sign shall be permitted in accordance with these sign specifications but shall not include pricing.
- OR**
2. Gasoline prices may be incorporated into the single free-standing sign allowed on the lot, provided that this free-standing sign is located in the pump island, and no other pricing signs are displayed.

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All signs not complying with section at the date of the adoption of this ordinance, will be deemed a non-forming structure and are subject to section 3.19 of these Bylaws.

I. Special Signs. The following special signs may be permitted upon approval by the Development Review Board if the Board finds that such is in the public interest, not detrimental to surrounding properties, and will not create a safety hazard. [See Section J]

J. Signs necessary or beneficial to the public welfare.

1. A sign identifying the commonly accepted name of a commercial building which sign shall not exceed sixteen (16) square feet in overall area, two (2) feet in overall height, or ten (10) feet in overall length.
2. State of Vermont Official Business Directory Signs on State and Town Highways.
3. Off-Premise directional signs located out of the highway right-of-way, the area of which shall not exceed four (4) square feet, and which provide directions to places of business offering for sale agricultural products harvested or produced on the premises where the sale is taking place.
4. Roof signs limited to Commercial Districts. Projecting signs mounted on the roof shall in no case exceed forty (40) square feet in overall area nor extend beyond the peak of the roof.

K. Vending Machines. Vending machines which are traditionally located outside of commercial buildings, such as those which house or dispense soda, ice, windshield wipers, propane gas cylinders and the like, may incorporate unilluminated sign(s) advertising the product being sold. No vending machine may be internally illuminated.

L. Signs Which Do Not Require a Permit. The following signs do not require a permit and are permitted in all Districts:

1. Signs wholly within the confines of a building up to four (4) square feet in size and not internally illuminated.
2. Temporary real estate signs, each of which does not exceed six (6) square feet in overall area. Said sign shall only be permitted on property which is either being sold or leased, and shall be removed within thirty (30) days from the date on which its intended purpose has been fulfilled.
3. A temporary construction sign located on the property which is being developed. Said sign shall not exceed thirty-two (32) square feet in area and shall be removed immediately when its stated purpose has been fulfilled.
4. Entrance and exit signs located near a driveway not exceeding two (2) square feet each.
5. Signs to be maintained for not more than two (2) weeks announcing an auction, or a campaign, drive or event of a civic, philanthropic or religious organization or for a yard sale conducted on the premises of a homeowner. Each sign shall not exceed two (2) square feet.
6. Banners to be temporarily placed across the street in the Town Highway right-of-way, do not need a Sign Permit, however, shall have to get permission from the Selectboard.

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M. **Prohibited Signs.** The following signs shall be prohibited in every District:

1. Signs which impair public safety.
2. Any permanent sign located within a highway right-of-way, except for official traffic control signs and civic recognition signs.

N. **Compliance.** All signs not complying with the Sign Regulation at the date of its adoption will be deemed a non-conforming structure and are subject to Section 3.19 of these Bylaws.

3.28 STRUCTURES FOR AGRICULTURE

Pursuant to 24 V.S.A. § 4413(d) farm structures (excluding dwellings), accepted agricultural practices and accepted silvicultural practices are exempt from local permitting requirements (See Section 4.2). However, farmers intending to erect a farm structure must submit to the municipality a written notice of intent to build a farm structure. The notification must contain a sketch of the proposed structure and include the setback distances from adjoining property owners and the street right-of-way. Additionally, all farm structures within the Flood Hazard Overlay District must comply with the National Flood Insurance Program. Lastly, the municipality may report violations of Accepted Agricultural Practices or accepted silvicultural practices to the appropriate state authorities for enforcement.

3.29 STORAGE OF FLAMMABLE FLUIDS

The storage of all flammable fluids and the equipment in which it is stored is controlled under the Fire Code of Vermont as administered by the Division of Fire Safety. Storage of flammable fluids, other than bulk storage for commercial distribution, consistent with this code is permitted in any district, but will require a Zoning Permit if the capacity is over one thousand (1,000) gallons and must meet setback requirements. Bulk storage for commercial distribution is only permitted in CI District as a conditional use.

3.30 SURFACE WATER PROTECTIONS

- A. To prevent soil erosion and sedimentation of surface waters, development shall be setback away from the high water mark of all streams and rivers and public ponds. A minimum 25 foot setback is required for streams and rivers that are between two- to six-feet wide, measured from the high water mark on each bank. A minimum 50 foot setback is required for ponds, as well as streams and rivers that are wider than six feet, measured from the high water mark on each bank. No development, excavation, filling, clearing or grading shall occur within the setback area, with the exception of clearing and associated site development necessary to accommodate the following, approved as a conditional use by the Development Review Board:
1. Road, driveway and utility crossings.
 2. Stream bank stabilization and restoration projects, in accordance with applicable state and federal regulations.
 3. Bicycles and pedestrian paths and trails.
 4. Recreation facilities, including structures, and improved lake or pond accesses.
 5. Micro-hydro (i.e. run of the river) energy systems.
- B. This provision applies to all streams and rivers that are not protected under the Flood Damage Prevention District (see Section 2.13).